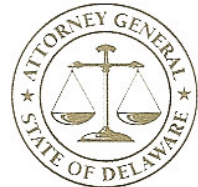


STATE OF DELAWARE
DEPARTMENT OF JUSTICE



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PLEASE REPLY TO:

January 9, 2007

[New Castle County-Civil Division]

The Honorable Joseph J. Farnan, Jr.
United States District Court
District of Delaware
J. Caleb Boggs Federal Building
844 N. King Street
Wilmington, DE 19801

Re: ***Hamby v. Kastre, et al.,***
D. Del., C.A. No. 05-626-JJF

Dear Judge Farnan:

On June 21, 2006, the Court filed a Rule 16 Scheduling Order in the above-captioned matter setting all dates in the case including a pretrial conference date of January 11, 2007 at 11:30 a.m. and a trial date of January 16, 2007 at 9:30 a.m. (D.I. 49). Several months later, on October 23, 2006, the Court issued a memorandum order canceling the discovery conference in the case and granting the Plaintiff an extension of time to respond to discovery while he awaits the appointment of counsel. (D.I. 65). The Court did not, however, order the cancellation of the pre-trial conference or trial dates. Therefore, the State Defendants request clarification from the Court regarding the status of the pre-trial conference and trial and whether the Court would like the parties to appear in Court on January 11 or 16. Thank you.

Sincerely,

/s/ Erika Y. Tross

Erika Y. Tross
Deputy Attorney General

EYT/vd

cc: Ricky J. Hamby, Plaintiff